

*File Gen Counsel*

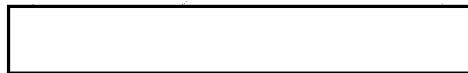
OGC 65-0261

20 JAN 1965

*Admin Files*

MEMORANDUM FOR: Deputy Director for Intelligence

ATTENTION:



SUBJECT:

Honorarium and Travel Expenses Question

SVS  
GST  
LGW  
HWS  
VCE  
MJM

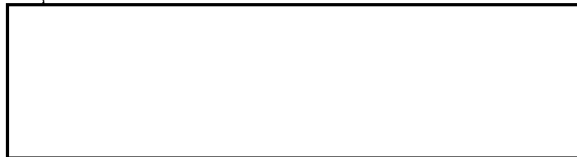
1. You have requested our advice on the following problem. Mr. Cline has been invited by the Woodrow Wilson Institute at Princeton to referee a student exercise in which a hypothetical factual situation concerning South Vietnam will be developed which poses policy questions for the United States Government. The Institute proposes to pay Mr. Cline a small honorarium and the costs of the trip by him and his wife to Princeton. In my subsequent conversation with you you advised that Mr. Cline is perfectly willing to have the honorarium go to the PSAS or another charity, but the questions concerning expenses remain.

2. Executive Order 10939, signed by President Kennedy on May 5, 1961, provides that no head or assistant head of a department or agency may "receive any fee, compensation, gift, payment of expenses, or any other thing of monetary value in circumstances in which acceptance may result in, or create the appearance of, resulting in: (a) Use of public office for private gain;" nor may any such official "receive compensation or anything of monetary value for any consultation, lecture, discussion, writing or appearance the subject matter of which (a) is devoted substantially to the responsibilities, programs or operations of the official's department or agency, or (b) draws substantially upon official data or ideas which have not become part of the body of public information." We are not able to conclude that the receipt of an honorarium or the cost of Mrs. Cline's trip would not create the appearance of using public office for private gain. Also, it may be that Mr. Cline

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will draw substantially upon official data or ideas which have not become part of the body of public information. We believe it would be inappropriate therefore for him to accept these payments.

3. It is our understanding, also, that the DCI (Mr. Dulles) several years ago, prior to the date of E. O. 10939, adopted the policy that he and other Agency officials would not accept honoraria or fees in connection with their public appearances or speeches. Honoraria which could not be refused would be turned over to the PSAS. We believe the Executive Order would not preclude such action in this instance.



Associate General Counsel

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